

Remarks

In the present response, claims 1-16 and 19 are amended. Applicants include formal drawings with this response. No new matter is added. Claims 1-20 are presented for examination.

I. Claim Rejections: 35 USC § 112

Claim 3 is rejected under 35 USC § 112, first paragraph, as failing to comply with the enablement requirement. Applicants respectfully traverse.

Claim 3 is amended to recite “determining the number of work nodes to be activated based on said activation rule based on elements in a vector.” Support can be found, for example, in the specification at page 16, lines 6-20. Applicants respectfully contend that further support exists in the specification at, for example, page 19, lines 10-23.

In light of the amendments to claim 3 and noted support in the specification, Applicants respectfully ask the Examiner to withdraw the rejection.

II. Claim Rejections: 35 USC § 112

Claim 3 is rejected under 35 USC § 112, first paragraph, as failing to comply with the written description. Applicants respectfully traverse.

Claim 3 is amended to recite “determining the number of work nodes to be activated based on said activation rule based on elements in a vector.” Support can be found, for example, in the specification at page 16, lines 6-20. Applicants respectfully contend that further support exists in the specification at, for example, page 19, lines 10-23.

In light of the amendments to claim 3 and noted support in the specification, Applicants respectfully ask the Examiner to withdraw the rejection.

III. Claim Rejections: 35 USC § 112

Claims 1-20 are rejected under 35 USC § 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter applicant regards as the invention.

Applicants amended the claims as follows to cure these rejections:

(a)(i) Claim 3 is amended as stated above in sections I and II. This rejection is cured.

(b) (i) Claim 1 is amended to recite “activation of multiple parallel instances of a same work node” to cure this rejection.

(ii) Claims 2 and 3 are amended to recite “said activation rule” to cure this rejection.

(iii) Claims 4 and 5 are amended to recite “said termination rule” to cure this rejection.

(iv) Claim 5 is amended to recite “all work nodes” to cure this rejection.

(v) Claim 6 is amended to recite “canceling other nodes” to cure this rejection.

(vi) Claim 7 is amended to recite “said successor node” to cure this rejection.

(vii) Claim 7 is amended to recite “all activated work nodes” to cure this rejection.

(viii) Claim 11 is amended to recite “said successor node” to cure this rejection.

(ix) Claim 12 is amended to recite “determining a number of multiple instances of work nodes in one of the multinodes” to cure this rejection.

(x) Claim 13 is amended to recite “one of the multinodes” to cure this rejection.

(xi) Claim 14 is amended to recite “said activation rule” to cure this rejection.

(xii) Claim 15 is amended to recite “by resources” to cure this rejection.

(xiii) Claim 15 is amended to recite “by variables” to cure this rejection.

(xiv) Claim 16 is amended to recite “a resource rule” to cure this rejection.

(xv) Claim 19 is amended to recite “a variable type” to cure this rejection.

IV. Claim Rejections: 35 USC § 102

Claims 1-2, 7-10, 12-14, and 20 are rejected under 35 USC § 102(b) as being anticipated by USPN 6,041,306 (hereinafter Du). This rejection is traversed.

A proper rejection of a claim under 35 U.S.C. §102 requires that a single prior art reference disclose each element of the claim. See MPEP § 2131, also, *W.L. Gore & Assoc., Inc. v. Garlock, Inc.*, 721 F.2d 1540, 220 U.S.P.Q. 303, 313 (Fed. Cir. 1983).

Since Du neither teaches nor suggests each element in claims 1-2, 7-10, 12-14, and 20, these claims are allowable over Du.

Claim 1

Independent claim 1 recites numerous limitations that are not taught or suggested in Du. For example, claim 1 recites “defining a multimode as a node that allows for activation of **multiple parallel instances** of a **same work** node” (emphasis added). Nowhere does Du teach or suggest that a multimode allows for activation of multiple parallel instances of a same work node. The Office Action cites several locations in Du for teaching this recitation. Applicants address each of these locations.

The Office Action cites col. 3, lines 1-10. This section of Du teaches a workflow process that includes at least one sequence of multiple actions. This section of Du, however, does not teach or suggest that a multimode allows for activation of multiple parallel instances of a same work node.

The Office Action cites col. 4, lines 10-14. This section of Du teaches a workflow process management system in a network of computers. This section of Du, however, does not teach or suggest that a multimode allows for activation of multiple parallel instances of a same work node.

The Office Action cites col. 4, lines 17-22. This section of Du teaches that computer software controls each of the computer systems in the WFPM. This section of Du, however, does not teach or suggest that a multimode allows for activation of multiple parallel instances of a same work node.

The Office Action cites col. 4, lines 45-50. This section of Du teaches that the workflow process can span several business organizations with multiple activities potentially performed in parallel. This section of Du, however, does not teach or suggest that a multimode allows for activation of multiple parallel instances of a **same work** node.

As another example, claim 1 recites “**at run time** determining a number of **work nodes to be activated** in the multimode based on an activation rule” (emphasis added). Nowhere does Du teach or suggest that at run time determining a number of work nodes

to be activated based on an activation rule. The Office Action cites several locations in Du for teaching this recitation. Applicants address each of these locations.

The Office Action cites col. 4, lines 66-67. This section of Du teaches that the WFPM enforces various administrative policies associated with the resources and work. Nowhere does Du teach or suggest that at run time determining a number of work nodes to be activated based on an activation rule.

The Office Action cites col. 5, lines 59-67. This section of Du teaches that an instance of the workflow process can be started, controlled, or stopped by process instance execution modules. Nowhere does Du teach or suggest that at run time determining a number of work nodes to be activated based on an activation rule.

The Office Action cites col. 6, lines 1-6. This section of Du teaches that the workflow management interface allocates, at run time, execution resources to a task according to policies and availability of the resources using the workflow management modules. Nowhere does Du teach or suggest that at run time determining a number of work nodes to be activated based on an activation rule.

The Office Action cites col. 7, lines 5-8. This section of Du teaches that a rule node can raise events when certain conditions are met and that an event can activate rule nodes. This section of Du does not even teach **work** nodes. Nowhere does Du teach or suggest that at run time determining a number of work nodes to be activated based on an activation rule.

As another example, claim 1 recites “when the execution of the multimode is not complete, processing continues at step c)” which recites “executing the number of work nodes in the multimode.” Nowhere does Du teach or suggest these limitations. The Office Action cites Du at col. 1, lines 56-63. This section of Du is reproduced below:

In general, WFP systems perform a wide range of tasks. For instance, they can provide a method for defining and managing the flow of a work process or support the definition of resources and their attributes. In addition, they can assign resources to work, determine which steps will be executed next within a work process

and when they will be executed and can ensure that the workflow process continues until proper termination.

Nowhere does this section of Du teach or suggest the specific limitations of step f). Specifically, this element recites that when the execution of the multimode is not complete, processing continues to executing the number of work nodes in the multimode.

For at least these reasons, independent claim 1 is not anticipated by Du. A dependent claim inherits the limitations of a base claims. Thus, for at least the reasons given in connection with independent claim 1, the dependent claims depending from claim 1 are also not anticipated by Du.

Claim 12

Independent claim 12 recites numerous limitations that are not taught or suggested in Du. For example, claim 12 recites “determining a number of **multiple instances of same work nodes**” (emphasis added). Nowhere does Du teach or suggest determining a number of multiple instances of same work nodes. The Office Action cites several locations in Du for teaching this recitation. Applicants address each of these locations.

The Office Action cites col. 3, lines 1-10. This section of Du teaches a workflow process that includes at least one sequence of multiple actions. This section of Du, however, does not teach or suggest determining a number of multiple instances of same work nodes.

The Office Action cites col. 4, lines 10-14. This section of Du teaches a workflow process management system in a network of computers. This section of Du, however, does not teach or suggest determining a number of multiple instances of same work nodes.

The Office Action cites col. 4, lines 17-22. This section of Du teaches that computer software controls each of the computer systems in the WFPM. This section of Du, however, does not teach or suggest determining a number of multiple instances of same work nodes.

The Office Action cites col. 4, lines 45-50. This section of Du teaches that the workflow process can span several business organizations with multiple activities potentially performed in parallel. This section of Du, however, does not teach or suggest determining a number of multiple instances of same work nodes.

As another example, claim 12 recites determining a number of multiple instances of **same works nodes to be activated**. Nowhere does Du teach or suggest this limitation. The Office Action cites several locations in Du for teaching this recitation. Applicants address each of these locations.

The Office Action cites col. 4, lines 66-67. This section of Du teaches that the WFPM enforces various administrative policies associated with the resources and work. Nowhere does Du teach or suggest determining a number of multiple instances of same works nodes to be activated.

The Office Action cites col. 5, lines 59-67. This section of Du teaches that an instance of the workflow process can be started, controlled, or stopped by process instance execution modules. Nowhere does Du teach or suggest determining a number of multiple instances of same works nodes to be activated.

The Office Action cites col. 6, lines 1-6. This section of Du teaches that the workflow management interface allocates, at run time, execution resources to a task according to policies and availability of the resources using the workflow management modules. Nowhere does Du teach or suggest determining a number of multiple instances of same works nodes to be activated.

The Office Action cites col. 7, lines 5-8. This section of Du teaches that a rule node can raise events when certain conditions are met and that an event can activate rule nodes. This section of Du does not even teach **work** nodes. Nowhere does Du teach or suggest determining a number of multiple instances of same works nodes to be activated.

For at least these reasons, independent claim 12 is not anticipated by Du. A dependent claim inherits the limitations of a base claims. Thus, for at least the reasons given in connection with independent claim 12, the dependent claims depending from claim 12 are also not anticipated by Du.

V. Claims Rejection – 35 USC § 103

Claims 4-6 and 11 are rejected under 35 USC § 103(a) as being unpatentable over Du in view of “Official Notice.” Applicants respectfully traverse.

As noted above in section IV, Du does not teach or suggest all the limitations of claim 1. The reliance on “official notice” does not cure the deficiencies of Du. Thus, for at least the reasons given above in connection with independent claim 1, dependent claims 4-6 and 11 are allowable over Du in view of “official notice.”

Claims 4-6 and 11: Official Notice

The Office Action admits that Du does not teach all of the recitations in claims 4-6 and 11 (see OA at p. 9: “Du did not specifically teach that determining the execution of the multinode” See OA at p. 10: Du did not specifically teach to check the condition”). Applicants agree with these admissions. The Office Action, however, attempts to cure these deficiencies with Official Notice. Applicants respectfully traverse.

Per MPEP § 2144.03, Applicant challenges the factual assertion as not properly officially noticed or not properly based upon common knowledge. As such, Applicant asks the Examiner to provide adequate **documentary evidence**.

Applicant contends that the noticed facts are not considered common knowledge or well-known in the art. For example, claim 1 is directed to determining multiple parallel instances of a same node. It is not common knowledge or well-known in the art to combine any of the limitations in claims 4-6 and 11 with the limitations in claim 1.

In light of Applicants’ traversal, Applicants respectfully ask the Examiner to produce authority (in the form of documentary evidence) for the alleged notice.

VI. Claims Rejection – 35 USC § 103

Claims 15-19 are rejected under 35 USC § 103(a) as being unpatentable over Du in view of US 2002/0083166 (hereinafter Dugan). Applicants respectfully traverse.

As noted above in section IV, Du does not teach or suggest all the limitations of claim 12. Dugan does not cure the deficiencies of Du. Thus, for at least the reasons given above in connection with independent claim 12, dependent claims 15-19 are allowable over Du in view of Dugan.

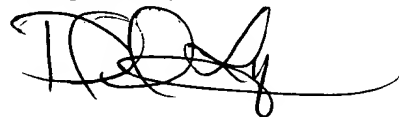
CONCLUSION

In view of the above, Applicants believe all pending claims are in condition for allowance. Allowance of these claims is respectfully requested.

Any inquiry regarding this Amendment and Response should be directed to Philip S. Lyren at Telephone No. (281) 514-8236, Facsimile No. (281) 514-8332. In addition, all correspondence should continue to be directed to the following address:


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Respectfully submitted,



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CERTIFICATE UNDER 37 C.F.R. 1.8: The undersigned hereby certifies that this paper or papers, as described herein, are being deposited in the United States Postal Service, as first class mail, in an envelope address to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on this 20th day of June, 2005.

By 
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